

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

JULIAN DUVARROL HICKS,

Plaintiff

VS.

STATE GOVERNMENT OF ALABAMA,  
et al.,

## Defendants

CASE NO. CV04-P-3277-S

**DISMISSAL ORDER**

On November 30, 2004, the magistrate judge's report and recommendation was entered and the parties were allowed therein fifteen (15) days in which to file objections to the recommendations made by the magistrate judge. No objections have been filed by either the plaintiff or the defendants.

After careful consideration of the record in this case and the magistrate judge's report and recommendation, the court hereby **ADOPTS** the report of the magistrate judge. The court further **ACCEPTS** the recommendations of the magistrate judge, and it is, therefore,

**ORDERED, ADJUDGED and DECREED** that plaintiff's requests to proceed without prepayment of fees and for appointment of counsel are **DENIED**, and plaintiff's claims hereby are **DISMISSED WITHOUT PREJUDICE**.

**DONE** and **ORDERED** this 20th day of December, 2004.

20 pm

**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE